



EXECUTIVE OFFICE OF TECHNOLOGY SERVICES & SECURITY

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June 28, 2019

Mr. Steven T. James
House Clerk
State House - Room 145
Boston, MA 02133

Dear Clerk James:

Pursuant to section 11 of chapter 69 of the Acts of 2018, I submit to you the first annual report of the Justice Reinvestment Policy Oversight Board.

In addition to the Executive Office of Technology Services and Security (EOTSS), the Board is comprised of a broad spectrum of criminal justice agency heads and stakeholders inside and outside of state government. We are charged with monitoring the development and implementation of justice reinvestment policies relative to the collection, standardization, and public availability of data.

The Board's first eight months of work focused on researching and describing the current landscape with respect to data collection and reporting to aid in the development and implementation of new standards and policies going forward.

Sincerely,

Curtis M. Wood



Data Collection and Reporting in the Massachusetts Criminal Justice System

A Report of the Justice Reinvestment Policy Oversight Board

June 28, 2019

Members of the Board

Member	Affiliation
<i>Secretary Curtis M. Wood, Chair</i>	Executive Office of Technology Services and Security
<i>Deputy Chief Alicia Rebello-Pradas</i>	Office of the Attorney General
<i>Honorable Paula M. Carey</i>	Executive Office of the Trial Court
<i>General Counsel Susan Terrey (from 5/2019) Chief Legal Counsel David Solet (until 3/2019)</i>	Executive Office of Public Safety and Security
<i>Deputy Commissioner Michael Coelho</i>	Massachusetts Probation Service
<i>Christian A. Williams</i>	Committee for Public Counsel Services
<i>Commissioner Carol A. Mici</i>	Department of Correction
<i>District Attorney Timothy Cruz</i>	Massachusetts District Attorneys Association
<i>Sheriff Peter J. Koutoujian</i>	Massachusetts Sheriffs Association
<i>Senator William N. Brownsberger</i>	Massachusetts State Senate
<i>Representative Carole A. Fiola</i>	Massachusetts House of Representatives
<i>Robert Harnais</i>	Massachusetts Bar Association
<i>Rahsaan D. Hall</i>	American Civil Liberties Union of Massachusetts
<i>Brook Hopkins</i>	Criminal Justice Policy Program, Harvard Law School (appointed expert in addressing racial, ethnic, gender, or age bias)
<i>Dr. Rhiana Kohl</i>	Department of Correction (appointed expert in data collection and analysis)
<i>Gina Papagiorgakis</i>	Massachusetts Parole Board (appointed expert in data collection and analysis)

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1. Introduction

The Justice Reinvestment Policy Oversight Board was created in April 2018 with the passage into law of Chapter 69 of the Acts of 2018, [“An Act Relative to Criminal Justice Reform.”](#) The Board, chaired by the Secretary of the Executive Office of Technology Services and Security (EOTSS) and comprised of a broad spectrum of criminal justice agency heads and stakeholders inside and outside of state government, is charged with monitoring the development and implementation of justice reinvestment policies relative to the collection, standardization, and public availability of data to ensure they achieve anticipated goals.

The legislation requires the Board to file a report with the clerks of the Massachusetts House of Representatives and the Senate annually by July 1 that reviews the compliance of the criminal justice agencies and the Trial Court, including the Probation Service, the Parole Board, the Executive Office of Public Safety and Security (EOPSS), the Department of Correction, houses of correction, and county jails, with:

1. Collecting and submitting to EOPSS data required by section 18 3/4 of chapter 6A of the Massachusetts General Laws in the form of a cross-agency tracking system that uses a unique state identification number assigned to each person who enters the criminal justice system;
2. Making said data available to the public through the use of an application programming interface (API), as required by paragraph (12) of section 18 3/4;
3. Establishing data collection and reporting standards relative to recidivism rates for re-arraignment, reconviction, and reincarceration; and
4. Establishing data collection and reporting standards for reporting race and ethnicity data and policies that ensure accurate data collection across racial, ethnic, and gender classifications.

To complete this evaluation, the Board convened four times between October 2018 and June 2019 and conducted two information-gathering surveys with relevant criminal justice agencies and the Trial Court. The Board’s first eight months of work focused on researching and describing the current landscape with respect to data collection and reporting to aid in the development and implementation of new standards and policies going forward.

The following sections present the Board’s findings in each of the four areas listed above. The final section presents recommendations and additional considerations raised by the Board.

2. Data Collection Required by Section 18 3/4

Paragraph (12) of section 18 3/4 of chapter 6A of the Massachusetts General Laws mandates the collection of at least seventeen (17) distinct categories of data by criminal justice agencies and the Trial Court, including but not necessarily limited to: (1) a unique statewide identification number assigned to each person who enters the criminal justice system; (2) the offense for which the person has been incarcerated; (3-4) the date and time of the offense; (5) the location of the offense; (6-9) the race, ethnicity, gender, and age of the person; (10) whether the person is the primary caretaker of a child; (11) the status of the person's reproductive health needs; (12-13) risk and needs assessment scores; (14-15) participation in and completion of evidence-based programs; and (16-17) entry and exit/release dates from a jail or house of correction.

The paragraph further mandates that data shall be collected in the form of a cross-tracking system that tracks individuals through the use of the unique statewide identification number. At present, while some integration across criminal justice information systems has been achieved, no such cross-tracking system, as envisioned by this legislation, has yet been developed.

EOPSS recently established a working group to examine the changes and resources required to meet the requirements of section 18 3/4 and to work with EOTSS, as required by the legislation, to develop and implement new data standards and technology. To aid the working group's efforts, as well as its own review of the status of required data collection and reporting under paragraph (12), the Board conducted the first of its two surveys of criminal justice agencies and the Trial Court between December 2018 and January 2019 with the assistance of EOTSS. For each of the required data categories, the survey asked respondents to note whether the agency always, sometimes, or never collects the data, or whether it receives the data from another agency. Follow-up questions addressed collection standards and data formatting.

Figure 1: Survey Respondents

- Department of Correction
- Parole Board
- Probation Service
- Trial Court
- Committee for Public Counsel Services (CPCS)
- Sheriffs:
 - Barnstable
 - Berkshire
 - Bristol
 - Dukes
 - Essex
 - Franklin
 - Hampden
 - Hampshire
 - Middlesex
 - Norfolk
 - Plymouth
 - Suffolk – Nashua St. Jail
 - Suffolk – South Bay HOC
 - Worcester

In total, the Board received eighteen (18) survey responses from the Trial Court, state criminal justice agencies, and the sheriffs' departments.¹ Figure 1 lists the respondents, henceforth "agencies."

¹ In addition to the agencies listed in Figure 1, the survey was also sent to the Offices of the District Attorneys through the Massachusetts District Attorneys Association (MDAA). At the time of publication, the Office of the

The following are the Board's detailed findings for each data category surveyed:

Unique statewide identification number. Not all agencies are using a unique statewide identification number that would allow individuals to be tracked through the criminal justice system.

- Full implementation of a consistent, unique identification (ID) number assigned to each individual is paramount to the development of the cross-tracking system for data collection contemplated in paragraph (12) of section 18 3/4 of M.G.L. chapter 6A.
- There are two primary types of unique IDs in the Massachusetts criminal justice system: the fingerprint-based ID (commonly referred to as the State Identification Number – SID) and the non-fingerprint-supported probation central file number (PCF). Presently, eight agencies report tracking individuals using both numbers, two use only the fingerprint-based ID, two use only the central probation file number, five use no unique ID, and one uses the individual's driver's license number when available.
- Not all bookings are presently reported to the Massachusetts State Police (MSP) State Identification Section, the central repository for fingerprint-based ID numbers, and even when bookings are reported, some agencies do not appear to record the fingerprint-based ID numbers returned by the MSP in their own records management systems.²

Type, date, time, and location of the offense. More thought is needed to determine how offenses should be incorporated into the cross-tracking data system. Few agencies are capturing the time and location of the offense in consistent, reportable ways.

- While all agencies report tracking the type and date of the offense, some track the offense as determined at the time of the arrest, some the offense as determined by the court, and some both. This may lead to confusion and/or inconsistencies in a cross-tracking data system if these different points in the system are not considered.
- Fewer agencies track the location of the offense; instead, the name of the arresting agency may be used in place of the location. Few agencies record a municipality, address, or other geographic locator.

District Attorneys were still in the process of completing the survey. While not required to respond to the survey, the MDAA has confirmed its intent to provide the survey data to the Board for its review in the first quarter of FY20. Nantucket is the only Sheriff not represented in the survey because Nantucket's data is housed in Barnstable. The Suffolk Sheriff submitted two responses: one from the Nashua St. Jail and one from the South Bay House of Correction.

² The fingerprint-based SID number for each person booked at the DOC, county jail, or house of correction is generated centrally by the Massachusetts State Police as part of the booking process.

- Very few agencies record the time of an offense, which is newly required in this legislation, and no agency records it in every case. Some agencies enter time as a 12-hour clock and some as a 24-hour clock.
- Some or all of the information about an offense entered into an agency's case-management system may be entered as unstructured text fields rather than structured data fields, which makes the information difficult to query and report as data.

Race. Despite the fact that all agencies use some version of the National Crime Information Center (NCIC) race designations, the versions are not consistent across agencies, and no centralized process or guidance exists to move agencies to new versions when they are released.

- While all of the agencies surveyed either collect an individual's race or receive race information from another agency, the survey found that of the agencies collecting race, just under a third still use the pre-1997 designations—American Indian, Asian (or Pacific Islander), Black, Unknown, White—a third use the post-1997 designations—American Indian or Alaska Native, Asian, Native Hawaiian or Pacific Islander, Black, White, Unknown—and just over a third use a hybrid of the two.
- A number of agencies have added race designations to their systems beyond the NCIC categories to better reflect their populations. For example, four agencies include Cape Verdean as a separate category. While these designations may more specifically reflect population demographics, they may also create data inconsistencies when the races of individuals appearing in multiple agencies' systems are reported differently based on available designations.
- In addition to specific race designations, some agencies have also added hybrid or general race designations, such as "multicultural" or "other," to capture individuals who do not fit into a designated race code.
- There is presently no consistent process or guidance for agencies to follow when federally determined race designations are updated. In this case, some agencies moved to the new NCIC race codes after 1997, some did not, and some married the two, possibly as a means to preserve historic data.

Ethnicity. Unlike race, not every agency presently records ethnicity, and disparities exist across agencies in how ethnicity is categorized.

- Five agencies do not presently record ethnicity separately from race.

- Of the agencies that record ethnicity, three use the NCIC designations (see bullet below), three use a specific classification that includes seven mostly regionally-based designations³, and three use custom designations based on region, nationality, and/or cultural group that include between 21 and 190 choices depending on the agency.
- The NCIC designates ethnicity in two categories: Hispanic/Latino or Not Hispanic/Latino. According to NCIC guidance, agencies not recording ethnicity separately from race should include the additional designations *white Hispanic* and *black Hispanic* in their race classifications to capture both race and ethnicity. Three agencies report doing this presently.
- Seven agencies report including Hispanic as a race, in place of or in addition to an ethnicity, and in addition to white Hispanic and black Hispanic where applicable. Some agencies noted that not including Hispanic as a race can result in missing data when individuals expect that option to be available.

Gender. Every agency records gender but not all use the same designations.

- All eighteen agencies surveyed record gender, either by collecting it themselves or by receiving the information from another agency.
- A follow-up survey question that received responses from the Department of Correction, Parole Board, Probation Service, Trial Court, Committee for Public Counsel Services (CPCS), and Sheriffs determined that some agencies include non-binary options for gender, while others use only male and female. The agencies that use non-binary categories do not use the same designations.

Age. All agencies report recording age or birth date.

Primary caretaker of a child. Few agencies collect information on an individual's caretaker status.

- Only three agencies report collecting information about whether an individual is the primary caretaker of a child, a new requirement under this legislation, and those who collect it do so only sometimes. Two additional agencies report receiving this information from another agency. No agency reports collecting this information in all cases.
- At least some of the agencies who report collecting this information collect it only from females.

³ The seven options include African Ancestry, Asian/Indian/Pacific Islander, European Ancestry, Hispanic, Middle Eastern Ancestry, Native American Indian, and Unknown. See Appendix B for more information about the ethnicity designations employed by individual agencies.

- There is not yet a consistently understood definition across agencies for what is considered a *primary caretaker* of a child or a common understanding of how this information should be shared or used after collection.

Status of reproductive needs. Very few agencies collect this information currently, and there is considerable uncertainty over the meaning of the term.

- Only three agencies report collecting this information, newly required under this legislation, compared with fourteen who never collect it and one who reports not knowing.
- There is considerable confusion among agencies over the intended meaning of the term “status of reproductive needs.” Several respondents requested more information during the survey process. Differing interpretations of the term included whether female offenders receive pregnancy tests during medical intakes and the specific medical needs of transgender individuals.

Risk and needs assessment scores. Agencies generally report collecting risk and needs assessment scores when assessments are required but may use different assessment tools.

- Agencies required to conduct assessments generally report recording the scores in all cases. A slightly higher number of agencies report always collecting risk scores than always collecting needs scores. This may be due to differing requirements around conducting risk assessments versus needs assessments.
- The tools used to conduct risk and needs assessments vary across agencies. It may be the case that the assessment tools vary in necessary ways with the populations different agencies serve. If, however, risk and needs assessment scores are intended to be comparable across agencies and institutions, a cross-agency review of assessment needs and tools may be advisable.

Participation in and completion date for evidence-based programs. Not all agencies providing evidence-based programming record participation or the completion date and not all track this information in reportable ways. Measures of participation vary across agencies.

- Participation is not always tracked separately from completion, and participation and completion measures are not necessarily consistent across agencies. Agencies report measuring participation using attendance, test scores, and/or certificates of completion.
- Participation may be tracked in non-reportable ways, such as with the use of paper sign-in sheets.
- Not all agencies who track participation record the completion date.

Entry and exit/release dates from state correctional facilities, county jails, and houses of correction. Agency representatives to the Board confirmed that these dates are routinely collected.

The preceding findings can be summarized as follows:

Some data categories are not collected consistently. Some data categories are not collected by all agencies or are collected by very few. Notably, for example, the survey results suggest that not every agency presently collects the same unique statewide identification number or, in some cases, possibly any unique statewide identification number upon a person's transfer to their jurisdictions. Other data categories that do not appear to be consistently collected include primary caretaker of a child, status of reproductive needs, the locations and times of offenses, and participation in and completion of evidence-based programs. Several of these categories are new to this legislation and have not been required in the past.

The definitions of some data categories remain unclear. The intended meaning and use of some data categories—primary caretaker of a child and status of reproductive needs, in particular—are the cause of considerable confusion among agencies, which is likely reflected in the survey results.

Some data categories are not standardized across agencies. Even where data categories are collected, they may not be standardized, making it difficult to report accurately across agencies. At least four types of non-standardization were apparent in the survey results:

1. Agencies may use different designations for the same data category, such as when some agencies include non-binary options for gender and some do not, or where different agencies or give individuals different options for reporting their ethnicities.
2. Even where agencies use the same designations, they may not use the same version. For example, though all surveyed agencies use the Federal Bureau of Investigation's National Crime Information Center (NCIC) race codes, some use the original version of the codes adopted in 1977, some a newer version adopted in 1997, and some a hybrid of the two.
3. Agencies that start out using the same designations may independently alter those designations over time, such as where agencies have added custom race designations to reflect regional demographics.
4. Systems may format data differently, such as where time is recorded on a 24-hour versus a 12-hour clock.

Data is not always collected in reportable formats. Even where information is collected, it is not always recorded electronically or in structured ways that lend to straightforward reporting. Information collected on paper, such as where attendance sheets are used to track participation in evidence-based programs, must be made electronic before it can be turned into reportable data. Data recorded in unstructured text fields rather than structured data fields, as is sometimes the case with the time and location of the offense, is difficult to mine for reporting.

Specific information about which of the surveyed agencies collect which data categories appears in Appendix A.

3. Public Availability of Data

Paragraph (12) of section 18 3/4 of M.G.L. chapter 6A requires that de-identified data from the cross-tracking system be made publicly available through an application programming interface (API) that allows access to “all electronically available records.”

Though the cross-tracking system is still under consideration, and no data is presently made publicly available through an API, the Board recognizes the strides criminal justice agencies have made in recent years to make some data more accessible to the public through online reports, data sites, and dashboards. Prominent examples include:

- **The Department of Correction** publishes dashboards that track inmate populations by correctional institution, as well as admissions, releases, and releases to the community with data available by gender, age, and race.
- **The Trial Court** publishes dashboards that track charges, substance abuse case filings, and harassment and restraining order filings by county, court type, and division, and maintains a website for statistical reports.
- **The Parole Board** produces an annual statistical report with data on hearings, votes, and releases.

The Board notes, however, that the data made available through these efforts is in the form of aggregated statistics, not individualized records, and that the data powering the dashboards cannot be downloaded for independent analysis.

4. Recidivism: Collection and Reporting Standards

Paragraph (13) of section 18 3/4 of M.G.L. chapter 6A requires the Secretary of EOPSS to “establish data collection and reporting standards for criminal justice agencies and Trial Court relative to recidivism rates for re-arraignment, reconviction, and reincarceration.” Data is to be tracked over 1, 2, and 3-year periods, include categorizations by race, ethnicity, gender, and age, be reported to EOPSS by relevant criminal justice agencies, and be published quarterly on the EOPSS website.

Presently, some of this data is available through the Department of Correction, which publishes annual technical reports on its website of one- and three-year reincarceration rates, broken out by race, age, and gender. Data for re-arraignment and reconviction are not currently available, nor have standard definitions or calculation methods been implemented for determining re-arraignment, reconviction, or reincarceration rates.

5. Race, Ethnicity, and Gender: Collection and Reporting Standards

Paragraph (14) of section 18 3/4 of M.G.L. chapter 6A requires the Secretary of EOPSS to “establish data and collection and reporting standards for criminal justice agencies and the Trial Court to standardize methods of reporting of race and ethnicity data to facilitate assessment of the racial and ethnic composition of the criminal justice population of the Commonwealth.” Criminal justice agencies and the Trial Court are further required to coordinate to ensure that “racial and ethnic data related to populations, trends, and outcomes is reported accurately” to the Secretary of EOPSS.

As the findings in section 1 of this report demonstrate, there are presently no consistently employed standards in place for collecting race, ethnicity, or gender data across Massachusetts criminal justice agencies:

- While all agencies use some version of the NCIC race designations, they do not necessarily use the same version; there is no centralized guidance for agencies to rely on to update their systems when new versions of federally determined race designations are released.
- There is little consistency in how agencies collect ethnicity data. Some do not collect ethnicity separately from race; some use the NCIC designations Hispanic and non-Hispanic or another categorization; and others use custom designations ranging in number from 21 to 190.
- Of the agencies for which information was made available to the Board—Committee for Public Counsel Services (CPCS), Department of Correction, Parole Board, Probation Service, and Trial Court, and the Sheriffs, only five include gender designations other than male and female. The Department of Correction uses male, female, other, while the CPCS uses male, female, non-binary, transgender male, transgender female. Three Sheriffs—Berkshire, Hampden, and Worcester—use additional designations.
- There is presently no coordination among criminal justice agencies with regards to reporting race and ethnicity data.

Appendix B presents the race, ethnicity, and gender designations used by the agencies that participated in the Board’s survey research.

6. Recommendations and Considerations of the Board

The Board raises the following recommendations and considerations in addition to its evaluation of criminal justice agencies' compliance with the requirements of Chapter 69 of the Acts of 2018:

- The legislation sets requirements but not limitations for data collection and reporting; some extensions may be warranted.
 - While the legislation focuses on measuring and reporting on the characteristics of the individuals who come through the criminal justice system, conscious consideration should also be paid to measuring and reporting on incarcerated individuals and their outcomes after incarceration so that policies and programs may be evaluated against outcomes.
 - The data collection mandated in the legislation focuses on the offense of incarceration, but the offense of incarceration may differ from the offense at arrest. Tracking the offense charged at arrest and the offense for which an individual is convicted as separate data fields is important to understanding how the system operates and how it produces particular outcomes for particular individuals.
 - Individuals often wait for extended periods in a pretrial status; pretrial data should be incorporated into the collection mandates.
 - To better our understanding of equity in the system, bail opportunity and amount should be a part of the data collection and reporting process.
- The legislation mandates outcomes, but consideration should also be paid to goals and processes.
 - It is important to think through how the data will ultimately be used to track program effectiveness and other objectives and create the cross-tracking system with those goals and measures in mind.
 - It is also important to think through how the public expects to engage with the data and to open up for public comment the process of developing data standards and a cross-tracking system in order to deliver a product that will be useful and used.
 - Even where agencies report that they *always* collect data, such as race, there are considerable issues with missing data. Consideration should be paid not only to ensuring accurate data collection but also to ensuring complete data collection. This may require changes not just to data standards, but also to collection practices and processes.
- In order to improve data collection, categories causing confusion should be more precisely defined.
 - Two categories in particular—primary caretaker of a child and the status of reproductive needs—caused confusion across agencies. Ensuring that the intended meaning and use

of these terms are properly communicated to participating agencies is the first step in planning for the collection of this data.

- A strong effort should be made to include all agencies in the justice system in the data collection and standardization process, including EOPSS agencies, the Massachusetts Probation Service, the Trial Court, Sheriffs, Offices of the District Attorneys, and the Committee for Public Counsel Services.
- Moving towards a cross-tracking system will require determining which agencies will contribute which data and prioritizing the systemwide collection of the unique state identification number.
 - Achieving a viable cross-tracking system does not necessarily require that every agency collect or contribute data in all of the required categories, only that complete and accurate coverage is achieved when the data is brought together. More thought and focus on data origins and overlap will be required during the planning and development of the cross-tracking system to reduce noise and redundancy and foster accuracy.
 - Because the creation of a viable cross-tracking system hinges on the ability to track individuals accurately, prioritizing the uniform and universal use of the unique statewide identification number is advisable.
- As the cross-tracking system is developed, appropriate privacy standards and security protocols must be adopted to protect individuals' personally identifiable information (PII), as required by law. These standards should include protections against the unauthorized or unlawful use of PII and extend to data storage, processing, and reporting.
- Improving data standardization will hinge on adopting general data standards to ensure data is uniformly formatted and category-specific data designations that cross agencies and limit missing data (or standardized methods for mapping across designations). These changes should be accompanied by written guidance to ensure that standards are followed over time and that changes are uniformly adopted.
 - General standards for how to format dates, times, addresses (location), and other common inputs should be considered and applied in cases where data formatting hinders cross-tracking.
 - A successful data designation system (e.g. race) will be comparable across agencies but also flexible or comprehensive enough to limit the risk of missing data that occurs when individuals do not identify themselves within existing designations.
 - Centralized adoption requirements and guidance should be developed to move agencies en masse to new versions of designation systems when they are released.
 - A centralized process should be developed for agencies looking to make changes existing designations so that the reasons and implications can be understood and any necessary changes to the cross-tracking system can be fully considered.

- Adoption requirements for new data standards should include guidance for treating historical data. Any necessary retroactive changes to historical data should also be articulated clearly during the planning process and reflected in cost estimates.
 - Race, ethnicity, gender, and other demographic indicators are not unique to the criminal justice system. It is important to implement data standards for common data categories statewide.
- Improving on data reportability will require adopting structured fields for necessary data categories and moving paper tracking processes to digital systems.
 - Data housed in unstructured text fields should be moved to structured data fields that can be built into digital reports.
- Pre-defined, structured measures should be developed for information kept on paper, like program attendance, for example, and moved into digital systems. Efforts should begin as early as possible to estimate the costs of implementing any changes to data standards and collection and to ensure that participating agencies are adequately resourced and supported to undertake this work.

Appendix A

Data Collection by Agency

Tables A1. Data Collected by Category⁴: State Agencies and Trial Court

Key	
✓	Always collects this information
○	Sometimes collects this information
✗	Never collects this information
◆	Receives from another agency

I. About Individuals

	Committee for Public Counsel Services	Department of Correction	Parole Board	Probation Service	Trial Court ⁵
<i>Birthdate or Age</i>	✓	✓	◆	✓	◆
<i>Gender</i>	○	✓	✓ / ◆	✓	◆
<i>Race</i>	○	✓	◆	○	◆
<i>Ethnicity</i>	○	✓	◆	○	◆
<i>Primary Caretaker of a Child</i>	○	○	✗	○	◆
<i>Status of Reproductive Needs</i>	Don't Know	Don't Know	✗	✗	✗
<i>Unique State ID Number</i>	✗	✓	✓	✓	✗
<i>Type of State ID Number</i>	NA	Fingerprint/Probation	Fingerprint/Probation	Probation	NA

⁴ These tables illustrate which data categories are being collected at what points in the criminal justice system, based on survey responses, and are not designed to reflect on any agency's compliance with the legislation.

⁵ The Trial Court receives the birthdate, gender, race, ethnicity, and primary caretaker status of the individuals it processes from the Massachusetts Probation Service.

II. About Assessments and Evidence-Based Programs (EBP)⁶

	Committee for Public Counsel Services	Department of Correction	Parole Board	Probation Service	Trial Court
<i>Risk Assessment Scores</i>	Don't Know	✓	✓	✓	NA
<i>Needs Assessment Scores</i>	Don't Know	✓	✓	✓	NA
<i>Participation in EBP</i>	❖	✓	NA	○	NA
<i>Completion Date for EBP</i>	Don't Know	✓	NA	○	NA

III. About Offenses

	Committee for Public Counsel Services	Department of Correction	Parole Board	Probation Service	Trial Court
<i>Offense of Incarceration</i>	❖	✓	✓	✓	✓
<i>Location of the Offense</i>	❖	✓ / ❖	✗	❖	✓
<i>Date of the Offense</i>	❖	✓ / ❖	✓	❖	✓
<i>Time of the Offense</i>	❖	❖	✗	❖	✓

⁶ Some of the differences between agencies that *always* and *sometimes* collect risk and needs assessment scores may be due to question interpretation. Agencies typically record scores when assessments are required; some agencies interpreted this to mean that they *sometimes* collect this data because assessments are not required in all circumstances and others that they *always* collect the scores when required.

Tables A2. Data Collected by Category⁷:
Sheriffs

Key

✓

Always collects this information

○

Sometimes collects this information

✕

Never collects this information

◆

Receives from another agency

I. About Individuals

	Barnstable	Berkshire	Bristol	Dukes	Essex	Franklin	Hampden	Hampshire	Middlesex	Norfolk	Plymouth	Suffolk (Nashua St. Jail)	Suffolk (South Bay HOC)	Worcester
Birthdate or Age	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Gender	✓	◆	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Race	✓	◆	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Ethnicity	✓	◆	✕	✓	✓	✓	○	✓	✕	✓	✓	✕	✕	✓
Primary Caretaker of a Child	✕	✕	✕	✕	✕	✕	○	✕	✕	✕	◆	✕	✕	✕
Status of Reproductive Needs	○	✕	✕	✕	✕	✕	○	✕	✕	✕	✕	✕	✓	✕
Unique State ID No.	✓	○	✓	✓	✓	✓	✕	✓	✕	✓	✕	○	✕	✓
Type of State ID No.	Fingerprint Probation	Fingerprint Probation	Fingerprint Probation	Fingerprint	Driver's License	Fingerprint Probation	NA	Fingerprint Probation	NA	Fingerprint Probation	NA	Probation	NA	Fingerprint

⁷ These tables illustrate which data categories are being collected at what points in the criminal justice system, based on survey responses, and are not designed to reflect on any agency’s compliance with the legislation.

II. About Assessments and Evidence-Based Programs (EBP)⁸

	Barnstable	Berkshire	Bristol	Dukes	Essex	Franklin	Hampden	Hampshire	Middlesex	Norfolk	Plymouth	Suffolk (Nashua St. Jail)	Suffolk (South Bay HOC)	Worcester
<i>Risk Assessment Scores</i>	✓	✓	✓	✗	○	✓	✓	✓	✓	✓	✓	✓	○	✓
<i>Needs Assessment Scores</i>	✓	✓	✓	✗	○	✓	✓	✓	✓	○	○	✓	○	✓
<i>Participation in EBP</i>	✓	✓	✓	✗	○	✓	✓	✓	✓	✓	○	✗	○	✗
<i>Completion Date for EBP</i>	✓	✓	○	✗	○	✓	✓	✓	✓	○	✓	✗	○	✗

III. About Offenses

	Barnstable	Berkshire	Bristol	Dukes	Essex	Franklin	Hampden	Hampshire	Middlesex	Norfolk	Plymouth	Suffolk (Nashua St. Jail)	Suffolk (South Bay HOC)	Worcester
<i>Offense of Incarceration</i>	✓	❖	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
<i>Location of the Offense</i>	✗	❖	❖	✓	❖	✓	✗	❖	✓	❖	❖	✗	✗	✓
<i>Date of the Offense</i>	✓	❖	❖	✓	❖	✓	✓	✓	✓	✓	✓	✓	○	✓
<i>Time of the Offense</i>	✗	✗	❖	○	❖	○	✗	❖	✗	✗	✗	✗	✗	✗

⁸ Some of the differences between agencies that *always* and *sometimes* collect risk and needs assessment scores may be due to question interpretation. Agencies typically record scores when assessments are required; some agencies interpreted this to mean that they *sometimes* collect this data because assessments are not required in all circumstances and others that they *always* collect the scores when required.

Appendix B

Race, Ethnicity, and Gender Designations by Agency

**Table B1. Race, Ethnicity, and Gender Designations:
State Agencies and Trial Court**

	Committee for Public Counsel Services	Department of Correction	Parole Board	Probation Service	Trial Court
<i>Race</i>	Alaska Native, Asian, Black, Native American or Indigenous, Native Hawaiian or other Pacific Islander, White, Other	American Indian or Native Alaskan, Asian, Black, Cape Verdean, Hispanic, Native American Indian, Native Hawaiian or Pacific Islander, White, Multicultural, Other, Unknown, Unknown at conversation	Receives from another agency	American Indian or Alaska Native, Asian, Black or African American, Native Hawaiian or Pacific Islander, White, Not known/Not reported, Other race/Multi-race	Receives from the Massachusetts Probation Service
<i>Ethnicity</i>	Hispanic, Non-Hispanic	190 custom categories	Receives from another agency	Hispanic or Latino, Non-Hispanic or Latino, Not known/Not reported	Receives from the Massachusetts Probation Service
<i>Gender</i>	Male, Female, Non- Binary, Transgender Male, Transgender Female	Male, Female, Other	Male, Female	Male, Female	Receives from the Massachusetts Probation Service

Table B2. Race, Ethnicity, and Gender Designations:
Sheriffs

	Race	Ethnicity	Gender
<i>Barnstable</i>	American Indian, Asian or Pacific Islander, Black, Black Hispanic, Cape Verdean, Hispanic, Multi-Culture, Native American Indian, Native Hawaiian or Pacific Islander, Unknown, White, White Hispanic, Other	Hispanic, Non-Hispanic, Other	Male, Female
<i>Berkshire</i>	Receives from another agency	Receives from another agency	Male, Female, Intersex, Transgender Male to Female, Transgender Female to Male
<i>Bristol</i>	American Indian, Asian, Black, Unknown, White	Not collected separately from race	Male, Female
<i>Dukes</i>	American Indian, Asian, Black, Unknown, White	African, Asian/Indian/Pacific Islander, European, Hispanic, Middle Eastern, Native American	Male, Female
<i>Essex</i>	American Indian or Alaskan Native, Asian, Black, Black Hispanic, Cape Verdean, Hispanic, LatinX, Native Hawaiian or Pacific Islander, Unknown, White, White Hispanic, Multicultural, Other	Over 100 custom categories	Male, Female
<i>Franklin</i>	American Indian or Alaskan Native, Asian or Pacific Islander, Black, Unknown, White	Hispanic or Latino, Not Hispanic or Latino, Unknown	Male, Female
<i>Hampden</i>	American Indian or Alaskan Native, Asian or Oriental, Black, Hispanic, Russian, Unknown, White, Other	Not collected separately from race	Male, Female, Intersex, Transgender
<i>Hampshire</i>	American Indian, Asian or Pacific Islander, Black, Unknown, White	African Ancestry, Asian/Indian/Pacific Islander, European Ancestry, Hispanic, Middle Eastern Ancestry, Native American Indian	Male, Female

	Race	Ethnicity	Gender
Middlesex	American Indian or Alaskan Native, Asian, Black or African American, Native Hawaiian or Pacific Islander, White, Other	Not collected separately from race	Male, Female
Norfolk	American Indian, Asian, Black, Unknown, White	African Ancestry, Asian/Indian/Pacific Islander, European Ancestry, Hispanic, Middle Eastern Ancestry, Native American Indian, Unknown	Male, Female
Plymouth	Asian, Black, Cape Verdean, Hispanic, Hispanic Black, Hispanic White, Indian, Native American, Oriental, Unknown, White, Other	African, American, American Indian, Cape Verdean, Chinese, English, French, Greek, Hispanic, Indian, Irish, Italian, Japanese, Middle East, Norwegian, Portuguese, Puerto Rican, Russian, Unknown, Vietnamese, Other not listed	Male, Female
Suffolk (Nashua St. Jail)	American Indian, Asian or Pacific Islander, Black, Hispanic, Unknown, White	Not collected separately from race	Male, Female
Suffolk (South Bay HOC)	American Indian, Asian or Pacific Islander, Black, Hispanic, Unknown, White	Not collected separately from race	Male, Female
Worcester	American Indian, Alaskan Native, Asian or Pacific Islander, Back origins of Africa, European, Middle Eastern, Native Hawaiian, North African, Unknown, White	“Yes”	Male, Female, Intersex, Transgender, Gender Nonconforming, Gay, Lesbian, Bisexual